



Docket No.: AI 7554
Date: February 23, 2007

In re application of: James F. Allsup	
Serial No.: 09/629,323	Group No.: 3626
Filed: July 31, 2000	Examiner: Alexander G. Kalinowski
For: Long Term Disability Overpayment Recovery Service With Post Award Service and Savings Program and Financial Assistance	

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Alexandria, VA 22313-1450


TRANSMITTAL

Transmitted herewith is:

- ☒ Comments On Statement Of Reasons For Allowance And Statement Regarding Interview
- ☒ Issue Fee Transmittal
- ☒ Check in the amount of \$700.00 for Issue Fee

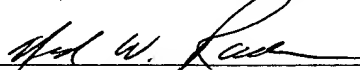
Small Entity Status:

- ☒ Applicant claims small entity status.


Ned W. Randle, Reg. No. 35,989
Polster, Lieder, Woodruff & Lucchesi, L.C.
12412 Powerscourt Drive, Suite 200
St. Louis, MO 63131-3615
Tel: (314) 238-2400
Fax: (314) 238-2401

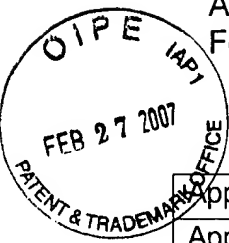
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Ned W. Randle, Reg. No. 35,989

2/23/07
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Appl. No. 09/629,323
February 23, 2007



Appl. No.	:	09/629,323
Applicant	:	James F. Allsup
Filed	:	July 31, 2000
Title	:	Long Term Disability Overpayment Recovery Service With Post Award Service and Savings Program and Financial Assistance
TC/A.U.	:	3626
Examiner	:	Alexander G. Kalinowski
Conf. No.	:	4709
Docket No.	:	AI 7554

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**COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE
AND
STATEMENT REGARDING INTERVIEW**

Applicant's Statement Regarding Interview under 37 C.F.R. §1.133(b)

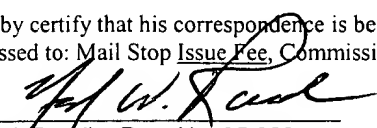
In accordance with the requirements of 37 C.F.R. §1.133(b), Applicant provides the following written statement:

Applicant's undersigned attorney and Examiner Alexander Kalinowski participated in a telephone interview on November 27, 2006. The information provided by the Examiner on PTOL-413 is accurate as to the claims discussed and the substance of the interview. The Examiner was authorized to amend the claims to indicate that the individual authorizes electronic recovery from the deposit account by the service provider and the recovery is accomplished by the service provider. Applicant's attorney authorized the Examiner to cancel claim 20.

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Ned W. Randle, Reg. No. 35,989

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Applicant's Comments on the Examiner's Statement of Reasons for Allowance.

The Examiner's statement at page 7, paragraph 4 of the Notice of Allowability is, in general, accurate. No prior art teaches obtaining authorization for a service provider to effect a recovery of an overpaid benefit from a deposit account and then the service provider effecting the recovery.

It will be appreciated by one skilled in the art that the individual authorizes the service provider to make the recovery and then the service provider makes the recovery. It also will be appreciated by one skilled in the art that the claim language is directed to obtaining preauthorization for a recovery to be made by a service provider. One aspect of the claimed invention, as defined by the claims, is that the individual authorizes the service provider to make the recovery from the individual's deposit account and then the service provider performs the recovery. The method of obtaining preauthorization can be affected in any manner that results in the service provider having authorization to make the recovery.

Also, the steps of the present invention may be performed in any order that gives the same result. The steps of the claims may be performed in any order or temporal relationship, as generally recognized under the law.

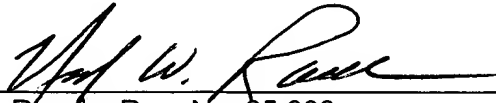
Applicant respectfully points out that the Examiner inappropriately used the term "obtaining overpayment" at several places beginning at page 8 of the action. The method is directed to recovering overpayment, not obtaining overpayment. It is Applicant's belief that the Examiner was using "obtaining overpayment" interchangeably with recovering overpayment. However, if "obtaining overpayment" is construed to have a meaning other than recovering overpayment, Applicant points out that the claims should not be construed in view of the Examiner's misstatement or use of terms. The term "obtaining overpayment" does not appear in the claims or the specification.

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Respectfully submitted,

POLSTER, LIEDER, WOODRUFF, & LUCCHESI, L.C.

By

A handwritten signature in black ink, appearing to read "Ned W. Randle", written over a horizontal line.

Ned W. Randle, Reg. No. 35,989
Polster, Liedler, Woodruff & Lucchesi, L.C.
12412 Powerscourt Drive, Suite 200
St. Louis, MO 63131-3615
Tel.: (314) 238-2400
Fax: (314) 238-2401